

**REMARKS**

Claims 24-27, 29-40 and 42-47 are pending in this application. By this Amendment, claims 24 and 40 are amended and claims 28, 41 and 44 canceled without prejudice to, or disclaimer of, the subject matter recited therein, and claims 46 and 47 are added. Support for the amendments to claims 24 and 40 and new claims 46 and 47 can be found in the specification, for example, at page 11, lines 8-23. No new matter is added.

Claims 24-31, 33, 35-38, 40, 41, 44 and 45 are rejected under 35 U.S.C. §103(a) over Pereira (U.S. Patent No. 2,185,924) in view of Rebbeck (U.S. Patent No. 4,192,083); claim 32 is rejected under 35 U.S.C. §103(a) over Pereira in view of Rebbeck and further in view of Cummings et al. (U.S. Patent No. 3,533,812); claim 34 is rejected under 35 U.S.C. §103(a) over Pereira in view of Rebbeck and further in view of Johnson (U.S. Patent No. 6,923,654); claim 39 is rejected under 35 U.S.C. §103(a) over Pereira in view of Rebbeck and further in view of Brokaw (U.S. Patent No. 5,326,267); and claims 42 and 43 are rejected under 35 U.S.C. §103(a) over Pereira in view of Rebbeck and further in view of "Casting Plasticine" (<http://www.potters.org/subject45452.htm>, page 7). The rejections of canceled claims 28, 41 and 44 are moot and the rejections of claims 24-27, 29-40, 42 and 43 are respectfully traversed.

None of the above-applied references teaches or renders obvious every claimed feature of independent claims 24 and 40. None of the above-applied references teaches or renders obvious "a catalysed foaming mixture of a plastics monomer and a foaming agent disposed above and contouring the shaped layer; a capping disposed directly above the catalysed foaming mixture to captively retain the catalysed foaming mixture between the shaped layer and the capping, the capping including a plurality of holes to allow for air to flow therethrough; and a frame attached to the base, wherein the capping is fastened to the frame," as recited in independent claim 24; and "pouring a catalysed foaming mixture of a

plastics monomer and a foaming agent such that the foaming mixture is disposed above and contours the shaped layer; applying a capping directly above the catalysed foaming mixture to captively retain the catalysed foaming mixture between the shaped layer and the capping, the capping including a plurality of holes to allow for air to flow therethrough ... and attaching the capping to the frame," as recited in independent claim 40 (emphasis added).

Pereira merely relates to a process of making relief maps where raw cotton 5 is inserted into indentations 3, 4 (see col. 2, lines 44-51 of Pereira). Pereira does not teach the catalysed foaming mixture of independent claims 24 and 40.

Pereira also does not teach a capping that includes the plurality of holes, as recited in independent claims 24 and 40. As shown in Fig. 1 of Pereira, the bottom of the mold (and top of the counter mold) is enclosed with a plunger with a felt or rubber facing (see col. 1, lines 36-52 of Pereira).

Further, Pereira is silent regarding the use of a frame for attaching the capping and the base, as recited in independent claims 24 and 40.

Therefore, Pereira does not teach or render obvious the features of independent claims 24 and 40.

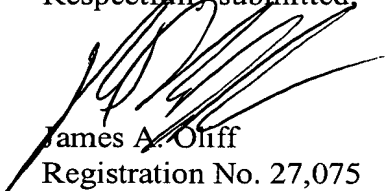
Rebbeck, Cummings, Johnson, Brokaw and Casting Plasticine do not remedy the deficiencies of Pereira. Rebbeck is applied by the Office Action only for its alleged teaching of a flexible foamed plastic (see Office Action, pages 2-4). Cummings is applied by the Office Action only for its alleged teaching of the use of Plaster by Paris (see Office Action, page 3). Johnson is applied by the Office Action only for its alleged teaching of urethane-based foam plastics (see Office Action, page 4). Brokaw is applied by the Office Action only for its alleged disclosure of hexagonal-shaped modules (see Office Action, page 4). Casting Plasticine is applied by the Office Action only for its alleged disclosure of the use of alcohol (see Office Action, page 4).

Therefore, for at least these reasons, independent claims 24 and 40 are patentable over the applied references. Claims 25-27, 29-39, 42 and 43, which variously depend from independent claims 24 and 40, are also patentable over the applied references for at least their dependency on independent claims 24 and 40, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:  
Petition for Extension of Time

Date: September 16, 2008

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